

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PATTY BEALL, MATTHEW
MAXWELL, TALINA MCELHANY AND
KELLY HAMPTON, individually
and on behalf of all other similarly situated;**

Plaintiffs,

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2:08-cv-422 TJW

**TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.
Defendants.**

DEFENDANTS' UNOPPOSED REQUEST FOR ORAL ARGUMENT

Defendants Tyler Technologies, Inc. and EDP Enterprises, Inc. (collectively “Tyler”) file this Unopposed Request for Oral Argument on Tyler’s motion to decertify this case as a collective action under Section 216(b) of the Fair Labor Standards Act (the “FLSA”).

This Court previously granted Plaintiffs' motion for conditional certification and the parties proceeded to the discovery phase of the lawsuit. The parties recently completed briefing on Tyler's motion for decertification. Because Tyler's motion for decertification raises complex legal and factual issues, Tyler requests the Court schedule oral argument at a date of its choosing. Counsel for Tyler has communicated with counsel for Plaintiffs, who indicated she does not oppose Tyler's request for oral argument.

WHEREFORE, Tyler respectfully requests the Court enter an order granting its request for oral argument and scheduling oral argument on Tyler's motion for decertification at a date of the Court's choosing, and any other relief, at law or in equity, to which the Court finds Tyler justly entitled.

Respectfully submitted:

/s/ Paulo B. McKeeby

Paulo B. McKeeby

Texas Bar No.: 00784571

paulo.mckeeby@morganlewis.com

Joel S. Allen

Texas Bar No.: 00795069

joel.allen@morganlewis.com

Ellen L. Perlioni

Texas Bar No. 00794155

ellen.perlioni@morganlewis.com

Farin Khosravi

Texas Bar No. 24043753

farin.khosravi@morganlewis.com

MORGAN, LEWIS & BOCKIUS LLP

1717 Main Street, Suite 3200

Dallas, Texas 75201-7347

phone - 214.466.4000

facsimile - 214.466.4001

Deron R. Dacus

Texas Bar No.: 00790553

derond@rameyflock.com

RAMEY & FLOCK P.C.

100 East Ferguson, Suite 500

Tyler, Texas 75702

phone – 903.597.3301

facsimile – 903.597.2413

ATTORNEYS FOR DEFENDANTS
TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.

CERTIFICATE OF CONFERENCE

On November 29, 2010, counsel for Defendants conferred with counsel for Plaintiffs regarding the contents of this request. Plaintiffs do not oppose this request.

/s/ Paulo B. McKeeby

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has been served via electronic mail on this 29th day of November, 2010, as follows:

John D. Sloan, Jr.
Laureen F. Bagley
SLOAN, BAGLEY, HATCHER & PERRY LAW FIRM
101 East Whaley Street
P.O. Drawer 2909
Longview, Texas 75606
jsloan@texttrialfirm.com
lbagley@sloanfirm.com

Alexander R. Wheeler
Jason Paul Fowler
R. REX PARRIS LAW FIRM
42220 10th Street West, Suite 109
Lancaster, CA 93534
awheeler@rrexparris.com
jfowler@rrexparris.com

John P. Zelbst
Chandra L. Homes Ray
Zelbst, Holmes & Butler
PO Box 365
Lawton, OK 73502
zelbst@zelbst.com
chandra@zelbst.com

James E. Wren
One Bear Place #97288
Waco, TX 76798
James.Wren@baylor.edu

/s/ Paulo B. McKeeby

Paulo B. McKeeby
Ellen L. Perlioni
Farin Khosravi